

**TRANSPORTATION DEPARTMENT[761]**

**Notice of Intended Action**

**Proposing rule making related to holiday rest stops  
and promotion of Iowa agricultural products at interstate rest areas  
and providing an opportunity for public comment**

The Department of Transportation hereby proposes to amend Chapter 105, “Holiday Rest Stops,” and Chapter 106, “Promotion of Iowa Agricultural Products at Rest Areas,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code sections 307.12 and 314.27 and 1995 Iowa Acts, chapter 18, section 2.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 314.27 and 1995 Iowa Acts, chapter 18, section 2.

*Purpose and Summary*

The proposed amendments to Chapters 105 and 106 correct the name of the Maintenance Bureau and remove district offices from the list of locations from which a form may be requested to sponsor a holiday rest stop or promote an Iowa agricultural product at an interstate rest area. These forms are still available on the Department’s website and from the Maintenance Bureau.

This proposed rule making also requires that any requests be submitted to the Maintenance Bureau. The Maintenance Bureau will approve or deny the requests. The district offices are no longer involved in the administration of these programs.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

*Public Comment*

Any interested person may submit written comments concerning this proposed rule making or may submit a written request to make an oral presentation at a public hearing. Written comments or requests to present oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on March 2, 2021. Comments should be directed to:

Tracy George  
Department of Transportation  
DOT Rules Administrator, Strategic Communications and Policy Bureau  
800 Lincoln Way  
Ames, Iowa 50010  
Email: [tracy.george@iowadot.us](mailto:tracy.george@iowadot.us)

### *Public Hearing*

If requested, a public hearing to hear oral presentations will be held on March 4, 2021, via conference call from 1 to 2 p.m. Persons who wish to participate in the conference call should contact Tracy George before 4:30 p.m. on March 2, 2021, to facilitate an orderly hearing. A conference call number will be provided to participants prior to the hearing.

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact Tracy George, the Department's rules administrator, and advise of specific needs.

The public hearing will be canceled without further notice if no oral presentation is requested.

### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend subrule 105.2(4) as follows:

**105.2(4) Information.** General information regarding holiday rest stops is available from the ~~Office of Maintenance Bureau~~, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010, or the department's website at [www.iowadot.gov](http://www.iowadot.gov).

ITEM 2. Amend subrule 105.4(3) as follows:

**105.4(3) Request.** A request to sponsor a holiday rest stop in an interstate rest area shall be made on Form 810023. This form is available from the ~~department's district offices, the office of maintenance bureau~~ or the department's website.

- a. No change.
- b. The request shall be submitted to the ~~office of maintenance bureau~~.
- c. No change.

ITEM 3. Amend subrule 105.4(4), introductory paragraph, as follows:

**105.4(4) Approval of request.** The request is subject to the approval of the ~~office of maintenance bureau~~.

ITEM 4. Amend subrule 105.5(3) as follows:

**105.5(3) Request.** A request to sponsor a holiday rest stop along a noninterstate primary highway shall be made on Form 810023. This form is available from the ~~department's district offices, the office of maintenance bureau~~ or the department's website.

- a. No change.
- b. The request shall be submitted to the ~~district office or the office of maintenance bureau~~.
- c. No change.

ITEM 5. Amend subrule 105.5(4), introductory paragraph, as follows:

**105.5(4) *Approval of request.*** The request is subject to the approval of the ~~district engineer~~ maintenance bureau.

ITEM 6. Amend rule 761—106.3(307) as follows:

**761—106.3(307) Information.** General information regarding agricultural promotions at interstate rest areas is available from the ~~Office of~~ Maintenance Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010, or the department's website at www.iowadot.gov.

ITEM 7. Amend subrule 106.4(1) as follows:

**106.4(1)** A request to promote an Iowa agricultural product at an interstate rest area shall be made on Form 810059. This form is available from the ~~department's district offices, the office of~~ maintenance bureau or the department's website.

*a. and b.* No change.

*c.* The request shall be submitted to the ~~office of~~ maintenance bureau.

*d.* No change.

ITEM 8. Amend subrule 106.4(2), introductory paragraph, as follows:

**106.4(2) *Approval of request.*** The request is subject to the approval of the ~~office of~~ maintenance bureau.